

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAYNE BONILLA,

Plaintiff,

v.

JONATHAN GOODFELLOW, et al.,

Defendants.

Case No. [16-cv-00227-VC](#) (PR)

**ORDER OF DISMISSAL WITH  
PREJUDICE**

Plaintiff Steven Wayne Bonilla is a state prisoner who alleges that Jonathan Goodfellow and John Whitson, of the Alameda County District Attorney's Office, violated Bonilla's constitutional rights in his state criminal case. Bonilla has been disqualified from proceeding *in forma pauperis* under 28 U.S.C. § 1915(g) unless he is "under imminent danger of serious physical injury" at the time he filed his complaint. 28 U.S.C. 1915(g); *In re Steven Bonilla*, No. C 11-3180 CW (PR); *Bonilla v. Dawson*, C No. 13-0951 CW (PR).

The allegations in this complaint do not show that Bonilla was in imminent danger at the time of filing. Therefore, he may not proceed *in forma pauperis*. Furthermore, he may not proceed even if he pays the filing fee because, even liberally construed, the allegations do not state a claim for which relief may be granted and amendment would be futile.

Accordingly, this complaint is dismissed with prejudice. The Clerk of the Court shall enter a separate judgment and close the file.

**IT IS SO ORDERED.**

Dated: January 26, 2016



VINCE CHHABRIA  
United States District Judge